



# LONDON BOROUGH OF BRENT

## MINUTES OF THE EXECUTIVE Tuesday, 15 February 2011 at 7.00 pm

PRESENT: Councillor John (Chair), Councillor Butt (Vice-Chair) and Councillors Arnold, Beswick, Crane, Jones, J Moher, R Moher, Powney and Thomas

ALSO PRESENT: Councillors Al-Ebadi, Harrison, Hunter, Lorber, Ogunro, Oladapo and HB Patel

### 1. **Declarations of personal and prejudicial interests**

Councillor Jones declared an interest in the report relating to the housing revenue account as a member of Brent Housing Partnership Board.

### 2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 17 January 2011 be approved as an accurate record of the meeting.

### 3. **Matters arising (if any)**

### 4. **Petition - Mission Dine Centre**

A representative of Mission Dine Centre addressed the meeting and set out concerns relating to proposals to demolish their premises on Fry Road NW10 to facilitate the expansion of Newfield Primary School on Longstone Avenue. She put that it had not been made clear that the building, which had been built by a charity, would be demolished. She stated the centre felt that they had not been well treated, having unexpectedly had a thirty year lease reduced to seven. The consultation, she felt, had been misleading and was flawed adding that MDC had not been included in the consultation list. It was felt that the compact between the MDC and the council had been breached. The school was not 'high performing' as defined under the legislation and as such did not qualify for expansion. Members were requested to take into account the view expressed that there were already sufficient schools in the area. The allegation that MDC was in rent arrears was refuted as the council had ceased grant funding in 2008/2009 but the organisation had continue to provide services.

### 5. **Deputations**

The Executive agreed to hear at the start of the meeting contributions from members and members of the public relating to a number of items on the agenda.

### *Preston Manor High School expansion*

Local residents addressed the Executive and spoke against proposals to expand Preston Manor High School, Carlton Avenue East. Mr Singer referred to the intolerable increase in traffic in the area particularly at the start and end of the school day exacerbated when refuse trucks were in the vicinity. Some motorists resorted to making illegal manoeuvres in a bid to make progress and Mr Singer expressed concern at the possibility of accidents taking place. Mr Musto referred to the existing covenants on the school's playing fields that had been put in place to protect public and private life which he felt should be respected. He felt that the proposals would have a detrimental effect on quality of life and amenity value in an area said to be open space deficient and did not accept the assertion that the proposal was better than any other. Another concern was that the additional places at Preston Manor would increase demand for the nearby Preston Park Primary School. Mr Musto also felt that there had been a lack of consultation. Ms Hadlow questioned what alternatives were in place should the planned expansion not proceed as the government funding currently on offer would then be lost. She also stated that at the start of the consultation indications were that the proposals were for a one storey building however at a second meeting there was reference to a building two storeys high with a distinctive roof. There also appeared to be discrepancies between information given on the distance from the development to the nearest back gardens. Mr Freeson stated that issues raised previously had not been answered. Schools were being built in inappropriate places while existing temporary schools were only two thirds full. Mr Freeson felt that the all-through schools would have an unfair advantage over other schools, particularly those in the south of the borough. He also expressed concern over the appointed contractors. Mr Gordon referred to problems that residents were currently facing with the school which included street arguments between students, damage to residents' gardens and litter from fast food.

Councillor HB Patel (ward councillor, Leader of the Conservative Group) referred to the issue of school places and questioned whether the area in the vicinity of the school was one of high local demand. He put forward the possibility that, as demand was borough wide, pupils living in the ward may still not be able to get a place at the school despite the expansion.

### *Restructuring of children's centre buildings/provision in Brent*

Ms Tait and Ms Quinn spoke against proposals to reduce service provision in children's centres and referred to support they had received from the Three Trees Children's Centre in Tiverton Road, NW10 at difficult times in their lives. They were grateful for the counselling services, professional advice and workshops that had helped them and increased their confidence. They commended the joint working between the professions.

### *Budget – library provision*

Local residents spoke against library budget reductions and in support of retaining local libraries.

Samantha Warrington cautioned against implementing budget cuts without an appropriate level of scrutiny of the cost implications. She stated that the council was

prepared to spend money on a new civic centre and a new library while no attempt had been made to get funding from the private sector to help keep libraries open or to negotiate funding from S106 agreements. She raised concerns on the accuracy of the figures quoted as part of the library transformation consultation, the absence of measurable outcomes, any debate on the need for larger libraries or an assessment of the environmental impact of the proposals. Ms Warrington reminded the Executive of the importance of local libraries for children and for community cohesion. James Hogan spoke in support of the retention of local libraries in particular Kensal Rise library which had a long history. He stated that some local authorities had been able to make budget cuts without closing libraries and emphasised the value of services to the community over and above financial costs. David Butcher cautioned against making decisions to close libraries based on the current financial situation which would be irreversible in the future and which would have wider adverse effects on the public. The possibility of losing a local library had served as a reminder to the community of their importance and Mr Butcher urged the Executive to have the courage to make decision to save local libraries. He rejected the view that the opportunity to buy books more cheaply was a comparable alternative. Anna Dolezal spoke in support of retaining local libraries in particular Cricklewood library as once the current economic crisis was over, money could only be pumped back into libraries that were still in existence. Ms Dolezal expressed concern for the continued employment of library staff and the need to adhere to the spirit of covenant that was in place to protect Cricklewood library and for it not to be given away to be run by volunteers or charities.

Councillor Lorber (Leader of the Opposition) put forward the view that the decline in library usage was due to the low number of books available to borrow. He also referred to proposals for Willesden Green Library which may not be beneficial to residents.

#### *Charteris Sports Club*

Ms Jessica Hynes (local resident) addressed the Executive on behalf of petitioners who were against plans to close Charteris Sports Centre as contained in the budget report. She stated that it was a highly valued community asset also used by schools with an above national average usage, the closure of which would have an adverse effect on crime statistics. Ms Hynes advised that the residents of Kilburn were willing to help run the centre as part of a partnership arrangement and to work on ways of reducing costs. They had already met with representatives of Sport England and were committed to retaining the facility.

#### *Festivals*

Mr Paresh Modasia addressed the Executive on behalf of the Hindu Council and spoke against proposals to reduce funding for the Navratri festival which was now out for consultation having been the subject of a report to the meeting of the Executive in January. Budget provision for festivals was included in the report before members. Mr Modasia said that Navratri was an important part of Hindu Culture bringing everyone together to share cultural learning especially children and hard to reach communities. The need for savings was understood however it was felt that the cost of the Navratri was relatively low and the schools used for the events benefitted throughout the year. Mr Modasia called on the council to conduct a fair consultation exercise.

## *Decommissioning the Brent Community Law Centre and the Brent Private Tenants Rights Group*

Jacky Peacock spoke on behalf of funding for BPTRG so that it could continue to provide services for people in the private rented sector which she said was unregulated. She referred to the poor living conditions still in existence in some areas and the landlords many of whom were unaware of their responsibilities. She feared that central government initiatives to reduce housing benefit would not lead to a reduction in rent levels but rather increase overcrowding and the number in rent arrears. Jamie Richie addressed the meeting against proposals in the budget report to decommission the Brent Law Centre which he said would amount to closure. Demand for services was increasing while additionally legal aid funding was being reduced. He felt that the voluntary sector deserved better treatment, to be given clear and consistent information on funding arrangements and to be properly consulted. Giving the public advice saved money in the long run.

Councillor John (Chair) on behalf of the Executive, thanked members of the public for attending and for their contributions. She explained that the council was required to set a legal budget and all concerns expressed would be taken into consideration. The final decision on the budget would be made at the meeting of Full Council on 28 February 2011.

### **6. Newfield Primary School - determination of proposal to alter Newfield Primary School**

Councillor Arnold (Lead Member, Children and Families) introduced the report from the Director of Children and Families and the Director of Regeneration and Major Projects which informed the Executive of the outcome of the statutory proposals to alter Newfield Primary (Community) School through expansion by one form of entry from 5 September 2011. The representation period on the proposal ended on 30 December 2010 and the report sought Executive approval to permanently expand Newfield Primary School, conditional upon planning permission being granted.

Earlier in the evening the Executive had received a petition from a representative of Mission Dine Centre who spoke against the expansion of the school as the plans involved the demolition of the centre which was adjacent. Councillor Arnold referred to the unprecedented demand for school places and the particular shortage in year one. The council had a statutory duty to provide places and she referred to the advantages of extending the school accommodation and its capacity to improve. Councillor Crane (Lead Member, Regeneration and Economic Development) expressed regret that the council had had to serve notice on the Mission Dine Centre and recognised their objectives which the council had supported for many years. He added that notwithstanding the outstanding rent the council would continue to work with the centre and help identify alternative accommodation but felt that the needs of the young people outweighed those of the centre.

RESOLVED:-

- (i) that approval be given to the permanent expansion of Newfield Primary (Community) School by one form of entry from 5 September 2011,

conditional upon the granting of full planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 April 2011;

- (ii) that it be agreed that the main factor for approving the alteration of Newfield Primary School was to provide permanent primary places in an area of the borough which has severe shortage of reception and year 1 school places.

**7. Brentfield Primary School - determination of proposal to alter Brentfield Primary School**

The report from the Directors of Children and Families and of Regeneration and Major Projects informed the Executive of the outcome of the statutory proposals to alter Brentfield Primary (Community) School through expansion by one form of entry from September 2011. The representation period on the proposal ended on 23 December 2010. The report sought approval to permanently expand Brentfield Primary School, conditional upon planning permission being granted.

Councillor Arnold (Lead Member, Children and Families) in introducing the report added funding for the project would come from the Basic Needs Safety Valve and the governing body were happy to take on the additional pupils. Councillor Crane (Lead Member, Regeneration and Economic Development) referred to the tight timescales involved.

RESOLVED:-

- (i) that approval be given to the permanent expansion of Brentfield Primary (Community) School by one form of entry from 5 September 2011, conditional upon the grant of full planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 April 2011;
- (ii) that it be agreed that the main factor for approving the alteration of Brentfield Primary School is to provide permanent primary places in an area of the borough which has severe shortage of reception and year 1 school places.

**8. Preston Manor High School - determination of proposal to alter Preston Manor High School**

Councillor Arnold (Lead Member, Children and Families) introduced the report which informed the Executive of the outcome of the statutory proposals to alter Preston Manor High (Foundation) School by lowering the age limit of the school and as a result, enlargement of the premises of the school which would increase the physical capacity of the school. Representation period on the proposal ended on 16 December 2010. The governing body of Preston Manor High School proposed to alter the school by providing two form entry primary provision from 5 September 2011. The report sought Executive approval to permanently expand Preston Manor High School, conditional upon the planning permission being granted.

Earlier in the meeting members had received representations from residents living in the vicinity of the school objecting to the proposals Councillor Arnold (Lead Member, Children and Families) in introducing the report advised that the proposals would help children in year 6 to have guaranteed places. Councillor Crane (Lead Member, Regeneration and Economic Development) in response to the

representations received earlier in the meeting from residents stated that the council was aware of the covenant on the school land which would be addressed and that this would be a matter for the Planning Committee. The timescales were tight and if the scheme was not progressed the central government funding would be lost.

The Executive also had before them an appendix to the report which was not for publication as it contained the following categories of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

RESOLVED:-

- (i) that approval be given to the permanent expansion of Preston Manor High (Foundation) School to provide two forms of entry primary provision from 05 September 2011. This would allow the school to expand by a) lowering the age limit of the school and as a result, b) enlargement of the premises of the school which would increase the physical capacity of the school. This was conditional upon the granting of full planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 April 2011;
- (ii) that it be agreed that the main factor for approving the alteration of Preston Manor High School is to provide permanent primary places in an area of the borough which has severe shortage of reception and year 1 school places.

## 9. **Restructuring of Children's Centre buildings/provision in Brent**

The Executive received the report from the Director of Children and Families which set out information on how services to children under five years were to be provided through the SureStart Grant. The report also identified how savings of £2.25m could be made within the service area in 2011/2012. Councillor Arnold (Lead Member, Children and Families). referred members to the list of 17 centres, none of which would be closing. Responsibility for a further seven would pass to schools.

In response to concerns expressed earlier in the meeting Councillor John (Chair, Leader of the Council) advised that the children centres would continue to operate full time. While formal consultation would take place on the shared service arrangements (a compromise to avoid any closures) there were no plans to remove substantive services and those in need would continue to receive services. She referred members to the recommendations in the report.

RESOLVED:-

- (i) that agreement be given to not to build three phase three children's centres; Sudbury, Cricklewood and Kingsbury Intergenerational Centre;

- (ii) that the proposal for a further three phase three Children's Centres; Wykeham, Preston Park and Mount Stewart to be designated as service delivery points instead of full Children's Centres, and become, via a formal agreement, the responsibility of schools on whose sites they are being developed, be explored;
- (iii) that it be agreed that carrying forward the proposals in the previous two recommendations would still ensure that the Council's network of Children's Centres is sufficient to meet local need;
- (iv) that the proposal for the relevant maintained nursery schools to take responsibility for all running costs associated with Curzon Crescent, Fawood and Granville Plus children centres, be explored;
- (v) that authority be delegated to the Director of Legal and Procurement and the Director of Children and Families to finalise the terms of agreements with the governing bodies of Wykeham, Preston Park and Mount Stewart governing bodies as set out above;
- (vi) that the additional savings set out in paragraph 4 of the report from the Director of Children and Families be pursued.

#### 10. **Housing revenue account**

Councillor Thomas (Lead Member, Housing and Customer Care) introduced the report from the Director of Housing and Community Care. The report presented to members the revised (probable) HRA budget for 2010/11 and the draft HRA budget for 2011/12 as required by the Local Government and Housing Act 1989. Members were required to consider these budget estimates and the associated options, taking account of the requirement to set a Housing Revenue Account (HRA) budget that did not show a deficit and need to consider and agree the level of HRA dwelling rents and service charges for 2011/12.

Councillor Thomas drew attention to the average overall rent increase (excluding service charges) of £5.50 per week, which was an average overall increase of 6.14% and the increase in service charges on the Brent Stonebridge Dwellings by an average of 5.3% (correcting the figure referred to in the report).

RESOLVED:-

- (i) that the revised (probable) budget for 2010/11 (Appendix 1 Table 1 of the report from the Director of Housing and Community Care) be approved;
- (ii) that approval be given to the draft budget for 2011/12 (Appendix 1 Table 1);
- (iii) that the revised growth of £138k in 2011/12, and the proposal for funding that growth, as set out in paragraph 3.41 of the report be agreed;
- (iv) that the growth proposal of £977k for the ALMO Round 2 interest rate adjustment as set out in paragraph 3.42 of the report be agreed;

- (v) that the savings/budget reductions as set out in paragraph 3.39.3 of the report be agreed;
- (vi) that approval be given to an average overall rent increase (excluding service charges) of £5.50 per week, which is an average overall increase of 6.14%, as set out in further detail in paragraphs 3.21 to 3.25;
- (vii) that approval be given to increase HRA Council Dwelling service charges by 4.6%;
- (viii) that approval be given to an average overall rent increase of £5.63p per dwelling per week on the Brent Stonebridge Dwellings, which is an average overall rent increase of 5.3% as set out in paragraph 3.59 of the Director's report;
- (ix) that approval be given to increase the service charges on the Brent Stonebridge Dwellings by an average of 50.3% or an average of £2.66 per dwelling per week as set out in paragraph 3.64 of the Director's report;
- (x) that authority be delegated to the Director of Housing and Community Care to agree in consultation with the Director of Finance and Corporate Services the Brent Housing Partnership (BHP) management fee for the financial year 2011/12;
- (xi) that, following the decision of the Executive, an electronic copy of the report be circulated to all Members.

*(Councillor Jones declared a personal interest as a member of the Brent Housing Partnership Board).*

#### **11. The transfer of capital assets from NHS Brent to Brent Council in line with the Learning Disability Valuing People Now Strategy**

The report before members sought agreement to the freehold transfer of four residential properties from Brent Primary Care Trust namely 54 Beechcroft Gardens, HA9, 7 Kinch Grove HA9, 63 Manor Drive HA9 and 1-5 Peel Road HA9. It also requested that legal charges were placed on each of the four properties and the Albert Road Day Centre. Councillor R Moher (Lead Member, Adults, Health and Social Care) advised that funds received would be reinvested.

RESOLVED:-

- (i) that authority be delegated to the Director of Housing and Community Care and Assistant Head of Property and Asset Management in consultation with the Director of Housing and Community Care to finalise terms and complete a transfer to Brent Council;
- (ii) that authority be delegated to the Head of Property and Asset Management to undertake an auction and complete a sale of Peel Road or if appropriate a letting;



- (iii) that approval be given to the attachment of a legal charge against the four residential properties and the Albert Road Day Centre replacement.

## 12. **Development of Contracts with Voluntary Organisations (Carer Services)**

Councillor R Moher (Lead Member, Adults, Health and Social Care) explained that the report from the Director of Housing and Community Care asked the Executive for approval to extend its partnership arrangements (and its contribution to the pooled budget detailed in paragraph 4.3 of the report) with NHS Brent to deliver services for carers in Brent for the period 2011-2013. It was also proposed to change the funding arrangements for organisations from grant funding mainstream services to provision under annual contractual arrangements starting from 1 April 2011 to 31 March 2012 and to agree that they need not be tendered in accordance with usual Contract Standing order requirements for reasons set out the report.

RESOLVED:-

- (i) that approval be given to a two year extension of the s75 partnership agreement (and its contribution to the pooled budget detailed in paragraph 4.3 of this report) with NHS Brent approved on 26 May 2009 for the establishment of a pooled budget, such extension to take effect from 1 April 2011 to 31 March 2013;
- (ii) that approval be given to an exemption in accordance with Contract Standing Order 84(a) from the usual tendering and quotation requirements of Standing Orders to permit negotiations leading to the award of one year contracts on the basis of good operational and financial reasons as set out in paragraph 3.15-3.21 of the report from the Director of Housing and Community Care.

## 13. **Re-adoption of the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 (as amended by The Policing and Crime Act 2009) Licensing Of Sexual Entertainment Venues**

The Executive were reminded by Councillor Powney (Lead Member, Environment, Planning and Culture) that on 14 September 2010 agreement had been given to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of The Police and Crime Act 2009. Notice of the adoption failed to appear in a local newspaper two weeks in succession and therefore members were asked to re-adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of The Police and Crime Act 2009.

RESOLVED:-

that Schedule 3 of The Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Police and Crime Act 2009 be re-adopted.

## 14. **The Brent Placemaking Guide**

The Lead Member for Highways and Transportation, Councillor J Moher, introduced the report from the Director of Environment and Neighbourhood Services which advised that the Brent Placemaking Guide had been developed in order to support

and advise all those whose work impacted on the design of the public realm. Councillor Moher added that the guidance affected street users, and had been designed to also safeguard people with visual impairments.

RESOLVED:-

- (i) that approval be given to the Brent Placemaking Guide;
- (ii) that the Director of Environment and Neighbourhood Services, in consultation with the Director of Regeneration and Major Projects arrange a series of design workshops across council departments to ensure that the advice and guidance given in the guide is adopted and understood by all council staff whose work impacts on the design of Brent's public realm.

#### 15. **Regeneration Strategy 2010-2030**

Councillor Crane (Lead Member, Regeneration and Economic Development) introduced the proposed new twenty year Regeneration Strategy for the Borough which would replace the current strategy, first published in 2001. It set out the rationale and gave details of the proposed new priorities that would be used to maximise investment into the Borough in order to deliver the vision. Councillor Crane referred to the recently created department of Regeneration and Major Projects that would be taking the lead on the strategy to achieve the new priorities.

RESOLVED:-

that the new Regeneration Strategy 2010 -2030, as set out in Appendix 1 of the report from the Director of Regeneration and Major Projects be approved and endorsed.

#### 16. **The Willesden Green Project**

The report from the Director of Regeneration and Major Projects outlined redevelopment options for the Willesden Green Library site. It set out proposals for the comprehensive redevelopment of the entire site into a mixed used scheme to include a new bespoke flagship Council building with housing. Councillor Crane (Lead Member, Regeneration and Economic Development) stated that the intent at this stage was to gain approval to test the market and establish if the redevelopment of Willesden Green Library could be delivered at zero net capital cost to the Council and then to report back. He advised that some consultation had started and the intention, should the scheme progress, would be to minimise any period of closure and to put in place continuity plans.

Councillor Hunter (ward councillor) questioned whether in the event of the Willesden Green project proceeding, the local libraries at Neasden and Cricklewood currently being considered for closure as part of the library transformation programme could remain open at least for the transition period. Councillor Powney reminded that the project was still at feasibility stage but in any event robust arrangements would be in place during any transition stage.

The Executive also had before them appendices to the report which were not for publication as they contained the following category of exempt information as

specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

- (i) that agreement in principle be given to the comprehensive redevelopment of the entire 0.86 hectare Willesden Green Library site in accordance with paragraph 3.11 of the report from the Director of Regeneration and Major Projects;
- (ii) that the proposed use of the Homes and Community Agency Developer Partner Panel Framework to procure a development partner be endorsed;
- (iii) that the proposed interim service delivery strategy for the library service be endorsed;
- (iv) that the proposed consultation strategy outlined in paragraph 3.33. of the report from the Director be endorsed;
- (v) that the Assistant Director of Regeneration and Major Projects (Property and Assets) dispose of the land at Chambers Lane Willesden Green shown crossed hatched black on Plan A at Appendix 1 of the report with vacant possession by way of auction, on such terms as he considers appropriate provided that such reserve price as he considers appropriate is achieved;
- (vi) that the Director of Regeneration and Major Projects be authorised (where the Director Regeneration and Major Projects in conjunction with the Director of Legal and Procurement consider applicable) to appropriate the Willesden Green Library site shown crossed hatched black on Plan B (at Appendix 1 of the report) for planning purposes when it is no longer required for the purposes for which it is currently held;
- (vii) that the Director of Regeneration and Major Projects (in conjunction with the Director of Legal and Procurement) in respect of the housing land shown cross hatched black on Plan C at Appendix 1 forming part of the Willesden Green Library site (together with such other areas of land acquired for housing purposes which investigations may subsequently reveal have not been previously appropriated) be authorised to seek consent of the Secretary of State (if applicable):
  - (a) under Section 19 of the Housing Act 1985 to an appropriation for planning purposes;
  - (b) under Section 32 of the Housing Act 1985 to the disposal of this land.

#### 17. **11-15 Brondesbury Road**

The report from the Director of Regeneration and Major Projects sought agreement to the leasing of the offices known as 11-15 Brondesbury Road, NW6 6BX to the Central and North West London NHS Foundation Trust for a term of 12 years.

RESOLVED:-

that approval be given to the letting of the offices at 11-15 Brondesbury Road to the NHS Trust for a term of 12 years, for a total rent of £490,000 per annum. This rent is inclusive of service charges.

18. **Budget 2011/12**

The report from the Director of Finance and Corporate Services set out the key decisions to be made on the 2011/12 General Fund revenue budget; the 2011/12 Schools Budget; the 2011/12 Housing Revenue Account; the Council's capital programme for 2011/12 to 2014/15; the Council's treasury management strategy; and prudential indicators aimed at ensuring the affordability of capital spending and a secure approach to borrowing and investment.

Councillor Butt (Lead Member, Resources) introduced the budget report and the recommendations proposed to be made to Full Council. Councillor Butt referred to the emergency budget that had been announced by central government in June 2010 and the efforts that had been made to reduce the council's projected overspend. £43M would have to be saved in 2011/12 and Councillor Butt acknowledged the anxiety being felt by the community from concerns expressed earlier in the meeting. Consideration was being given to all aspects of the council's spending and the current efficiency savings programme would help to manage the process.

Councillor Powney moved an amendment to the recommendations in the report to add that the council was in discussion with community groups which may have an effect on the budget. The amendment was accepted.

RESOLVED:-

**In respect of Section 3**

- 1) to note the final 2009/10 outturn.
- 2) to note the latest forecast for the General Fund outturn (Appendix A(i)) for 2010/11.
- 3) to agree the 2010/11 budget virements (Appendix A(ii)).

**In respect of Section 4**

- 4) to note the process, including consultation, that has led to these budget proposals and also note that the council remains in discussion with a number of groups about the council's library strategy, Charteris Sports Centre and other council services which may have an effect on the council budget.
- 5) to agree the General Fund revenue budget for 2011/12, as summarised in Appendix B, or consider any amendments to that budget.

- 6) to agree the Service Area budgets including the cost pressures, savings and other adjustments detailed in Appendices C and D.
- 7) to note Appendix F and agree the budgets for central items and other budgets, or consider any amendments to those budgets.
- 8) to note and, where appropriate, make provision for the contingent liabilities and risks set out in this section of the report.
- 9) to agree the approach to balances set out in the report.
- 10) to receive the report from the Director of Finance and Corporate Services in paragraph 4.36 in respect of his statutory duty under Section 25 of 2003 Local Government Act.

**In respect of Section 5**

- 11) note that the GLA precept will be approved at the meeting of the Greater London Assembly on 23rd February 2011.
- 12) to note the advice of officers regarding council tax levels.
- 13) to agree there is no surplus or deficit at 31<sup>st</sup> March 2010 for that part of the Collection Fund relating to community charge.
- 14) to note and consider the advice of the Director of Legal and Procurement as set out in Appendix M.
- 15) to agree the instalment dates for council tax and NNDR for 2010/11, and the recovery policy for council tax as set out in Appendix G(ii).

**In respect of Section 6**

- 16) to agree the Medium Term Financial Strategy and the provisional service area cash limits for 2012/13 to 2014/15 set out in Appendix H.

**In respect of Section 7**

- 17) to agree the Schools Budget set out in Appendix I(i).

**In respect of Section 8**

- 18) to agree the Housing Revenue Account budget set out in Appendix J.

**In respect of Section 9**

- 19) to note the latest forecast outturn position on the 2010/11 capital programme, and agree the revised budgets.
- 20) to note the properties included within the disposals programme set out in Appendix K(v).

- 21) to agree the 2011/12 to 2014/15 programme as set out in Appendix K(iii), including the new capital allocations.
- 22) to note the inclusion in this Capital Programme of all capital schemes, irrespective of the source of funding and agree that all schemes are subject to the approval procedures as set out in the Constitution.
- 23) to note the levels of unsupported borrowing forecast for 2011/12 and future years and the impact on council tax levels.
- 24) to adopt the policy on repayment of principal in 2011/12 as set out in paragraphs 9.15 to 9.22.

#### **In respect of Section 10**

- 25) Agree the Treasury Management Strategy and the Annual Investment Strategy for 2011/12.

#### **In respect of Section 11**

- 26) to note the requirements of the Prudential Code.
- 27) to agree the Prudential Indicators set out in this section for affordability, capital spending, external debt and treasury management.
- 28) to note the arrangements for monitoring and reporting on Prudential Indicators.

#### **In respect of Section 12**

- 29) to note and agree the procedures for controlling expenditure set out in section 12.
- 30) to agree the updated schedule of Provisions and Earmarked Reserves set out in Schedule 1 of Appendix N.

#### **In addition**

- 31) to authorise the council's Director of Finance and Corporate Services to:  
Make payments on approved capital schemes in 2011/12.  
Borrow in 2011/12 up to the limits agreed within the Prudential Indicators.

Enter such leasing arrangements as are necessary to finance the programme for 2011/12 and terminate or renegotiate any existing leases.  
Make such minor adjustments to budgets as are necessary.

**The following sections of the recommendations relate to the calculation of the budget and council tax as set out by the statutory framework. Amendments to the above recommendations which alter figures in Appendix B will require this section to be changed to reflect these.**

- 32) in agreeing the above recommendations and the budget in Appendix B, we note that the effect of all these measures is to produce overall council expenditure in 2011/12 of £268.895m.

33) that we note that £1.006m is attributable to the net deficit on the Collection Fund.

34) that we note that at its meeting on 25 January 2011 General Purposes Committee calculated the amount of 97,252 as its Council Tax Base for the year 2011/12 in accordance with the Local Authorities (calculation of Council Tax Base) Regulations 1992.

35) In relation to the council tax for 2011/12 we resolve:

That the following amounts be now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a) £1,018,921,000 being the aggregate of the amount that the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.

(b) £751,032,000 being the aggregate of the amounts that the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.

(c) £267,889,000 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) £164,905,000 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant reduced by the amount of the sums which the Council estimates will be transferred in the year from its general fund to its collection fund in accordance with Section 97(4) of the Local Government Finance Act 1988.

(e) £1,058.94 being the amount at (c) above less the amount at (d) above, all divided by the amount for the taxbase specified above calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

(f) Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
705.96	823.62	941.28	1,058.94	1,294.26	1,529.58	1,764.90	2,117.88

being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

36) that it be noted that for the year 2011/12 the Greater London Authority has stated the following amounts in precepts issued to the Council, in accordance with

Section 40 of the Local Government Finance Act 1992, in respect of the Greater London Authority, for each of the categories of dwellings shown below:

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
206.55	240.97	275.40	309.82	378.67	447.52	516.37	619.64

37) that, having calculated the aggregate in each case of the amounts at (f) and the precepting authority referred to in the preceding paragraph above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2011/12 for each of the categories of dwellings shown below:

#### Valuation Bands

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
912.51	1,064.59	1,216.68	1,368.76	1,672.93	1,977.10	2,281.27	2,737.52

38) (a) that the Director of Finance and Corporate Services be and is hereby authorised to give due notice of the said council tax in the manner provided by Section 38(2) of the 1992 Act.

(b) that the Director of Finance and Corporate Services be and is hereby authorised when necessary to apply for a summons against any council tax payer or non-domestic ratepayer on whom an account for the said tax or rate and any arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.

(c) that the Director of Finance and Corporate Services be and is hereby authorised to collect revenues and distribute monies from the Collection Fund and is authorised to borrow or to lend money in accordance with the regulations to the maximum benefit of each fund.

## 19. Annual Audit Letter 2009/2010

Members had before them the report from the Director of Finance and Corporate Services which accompanied the Annual Audit Letter for 2009/10 issued by the Audit Commission. Present at the meeting were Andrea White and Paul Viljoen (Audit Commission) Ms White in introducing the Letter advised that an unqualified opinion had been issued on the council's financial statements and arrangements to secure value for money. The detail of these had been discussed at the recent meeting of the Audit Committee. Ms White stated that some additional work had to be undertaken to verify information from some departments as a result of which additional fees had been levied. She reminded members of the need for a consistent approach to be adopted across the council. Ms White also referred to the perceived improvements in the council's human resources function and the One Council Improvement and Efficiency Programme and indicated that the council could do more to embed good practice. Regarding the council's involvement in the London Authorities Mutual Limited (LAML) case she was satisfied that the outcome had not resulted in any material loss to the Council. On the council's responsibility for the proper administration of the affairs of foundation schools Andrea White referred to her recommendations which had been acted on. She concluded by



acknowledging the many challenges which the council would be facing over the coming months, not least the need to deliver a high standard of service within increasing financial pressures.

The Executive thanked Ms White and Mr Viljoen for their contribution and for attending the meeting.

RESOLVED:

that the contents of the Audit Letter 2009/2010 be noted and that the Audit Committee will monitor progress against the main features highlighted and delivery of the Action Plan.

## 20. **Authority to award contract for a server-based desktop solution**

Councillor Butt (Lead Member, Resources) introduced the report which requested authority to award a contract for the supply of a server-based desktop solution for the council through an eAuction as required by Contract Standing Order 88. This report summarised the process being undertaken to procure this contract through a mini competition, under an existing pre-tendered local authority Framework established by Eastern Shires Purchasing Organisation ("ESPO"), and recommended approval of the processes and mechanisms of the mini competition and award to the successful eAuction bidder. Councillor Butt stated that the new equipment would be more efficient and would save money on licenses and was also environmentally friendly.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

- (i) that the process being undertaken for the procurement of a server-based desktop solution via the ESPO framework be noted;
- (ii) that agreement be given to the evaluation process for the award of the server-based desktop solution contract as outlined in paragraphs 3.15 – 3.25 of the report from the Director of Finance and Corporate Services and Appendices 1 and 2;
- (iii) that subject to (v) below, agreement be given to the award of contract for a server-based desktop solution for an initial term of three years with a twenty-four month extension to the successful supplier determined in accordance with the evaluation process (referred to in paragraph (ii) above) following the eAuction;
- (iv) that the Director of Finance and Corporate Services be authorised in consultation with the Director of Legal and Procurement to formalise the

contract award following the eAuction results in accordance with the council's Contract Standing Orders and Financial Regulations;

- (v) that the Director of Finance and Corporate Services be authorised to withdraw from the procurement process at any time prior to signing the call-off contract in exceptional circumstances as further explained in paragraphs 3.25 and 3.26 below of the report.

## 21. **NNDR discretionary rate relief and hardship**

The Council had the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The report from the Director of Finance and Corporate Services set out applications received since last considered in June 2010.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

that approval be given to the discretionary rate relief applications in Appendices 2 and 3 and to reject the hardship applications in the Appendix to the report from the Director of Finance Services.

## 22. **Reference of item considered by Call in Overview and Scrutiny Committee**

The Executive had before them, recommendations made by the Call in Overview and Scrutiny Committee at its meeting held on 2 February 2011 in connection with the decision taken by the Executive on 17 January to dispose of the former park keepers' houses at 776 and 778 Harrow Road in the open market.

Councillor Lorber (ward councillor) emphasised the Call in Committee's wish to have in place at the outset conditions on the sale of the land to ensure that any development would be suitable for the area. Councillor Crane (Lead Member, Regeneration and Economic Development) stated that there were already restrictions in place that would prevent undesirable development and that to impose additional conditions would reduce the purchase price. Additionally, there were also adequate planning controls in existence.

The Head of Property and Asset Management confirmed that as the property was held in trust the council had a responsibility to get the best value, the District Valuer had recommended that the council sell the properties as two separate dwellings in order to receive greater capital receipts and planning controls were in place.

RESOLVED:

that the recommendations from the Call in Overview and Scrutiny Committee be not agreed.

**23. Exclusion of Press and Public**

RESOLVED:-

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in the Local Government Act 1972 namely:

information relating to the financial and business affairs of any particular person (including the authority holding that information).

**24. ALMO Settled Homes Initiative - Tranche 2 loan facility**

In order to meet the HCA's acquisition targets, BHP would need to secure a further loan facility from the Council, which is to be supported by BHP using a combination of their rental income stream and reserves. The report from the Director of Regeneration and Major Projects requested approval to provide BHP with a tranche two loan facility in order to finance the acquisition of affordable homes under the Settled Homes Initiative, as set out in paragraph 3.7 of the report and subject to final terms and conditions agreed by the Director of Finance and Corporate Services.

RESOLVED:-

- (i) that approval be given to the provision of a tranche 2 loan facility for to Brent Housing Partnership Limited (BHP) in order to facilitate the acquisition of affordable homes under tranche 2 of the Settled Homes Initiative (SHI) scheme, as specified in paragraph 3.7 of the report from the Director of Regeneration and Major Projects;
- (ii) that authority be delegated to the Director of Finance and Corporate Services, in consultation with the Director of Legal and Procurement, to agree the final terms and conditions of the loan facility, subject to the detail set out in paragraph 3.9 of this report;
- (iii) that it be noted that Council will rely on the General Consent provided by the Secretary of State for Communities and Local Government in December 2010 pursuant to section 25 of the Local Government Act 1988 as set out in paragraph 5.4 of this report as authority to enable the Council to provide a loan facility of a sum set out in paragraph 3.7 of this report to BHP to deliver tranche 2 of the Settled Homes Initiative scheme.

The meeting ended at 9.00 pm

A JOHN  
Chair